

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| DOCKET NUMBER    | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: |          | PRIOR APPLICATION |          |
|------------------|---|----------|-------------------|----------|
|                  | CLASS   | SUBCLASS | EXAMINER          | ART UNIT |
| G&C 130.15-US-D1 | 427   | 002.130  | Margaret Moore    | 1712     |

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

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Date of Deposit: August 21, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By: *Isabell Ogata*  
Name: Isabell Ogata

DIVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)

BOX PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a Divisional application under 37 CFR § 1.53(b) of Serial No. 09/401,147, filed on September 22, 1999 entitled "DETECTION OF BIOLOGICAL MOLECULES USING CHEMICAL AMPLIFICATION AND OPTICAL SENSORS" by the following inventor(s):

|     |                         |  |  |   |
|-----|-------------------------|--|--|---|
| (1) | Full Name Of Inventor   | Family Name<br>ANTWERP                           | First Given Name<br>WILLIAM            | Second Given Name<br>PETER                          |
|     | Residence & Citizenship | City<br>Valencia                                 | State or Foreign Country<br>California | Country of Citizenship<br>U.S.A.                    |
|     | Post Office Address     | Post Office Address<br>24101 West Del Monte #418 | City<br>Valencia                       | State & Zip Code/Country<br>California 91355/U.S.A. |
| (2) | Full Name Of Inventor   | Family Name<br>MASTROTOTARO                      | First Given Name<br>JOHN               | Second Given Name<br>JOSEPH                         |
|     | Residence & Citizenship | City<br>Los Angeles                              | State or Foreign Country<br>California | Country of Citizenship<br>U.S.A.                    |
|     | Post Office Address     | Post Office Address<br>1235 Brockton Avenue #206 | City<br>Los Angeles                    | State & Zip Code/Country<br>California 90025/U.S.A. |

- ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 37 pages of specification, 20 claims, 1 page of abstract, 14 sheets of drawings, and 2 pages of oath or declaration.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ Amend the specification by inserting before the first line the sentence: "This application is a Divisional of application Serial No. 09/401,147, filed September 22, 1999, entitled 'DETECTION OF BIOLOGICAL MOLECULES USING CHEMICAL AMPLIFICATION AND OPTICAL SENSORS', which application is incorporated herein by reference."

(PTO TRANSMITTAL - FILING UNDER 37 CFR 1.53(b))

- ☒ Cancel original claims 1-20 of the prior application before calculating the filing fee.
- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ The fee has been calculated as shown below in the "Claims as Filed" table.

**CLAIMS AS FILED**

| Number of Claims Filed       | In Excess of: | Number Extra | Rate      | Fee             |
|------------------------------|---------------|--------------|-----------|-----------------|
| <b>Basic Filing Fee</b>      |               |              |           | \$710.00        |
| <b>Total Claims</b>          |               |              |           |                 |
| 30                           | 20            | 10           | x \$18.00 | = \$180.00      |
| <b>Independent Claims</b>    |               |              |           |                 |
| 3                            | 3             | 0            | x \$80.00 | = \$0.00        |
| MULTIPLE DEPENDENT CLAIM FEE |               |              |           | \$0.00          |
| <b>TOTAL FILING FEE</b>      |               |              |           | <b>\$890.00</b> |

- ☒ PTO-2038 Credit Card Payment Form in the amount of \$890.00 to cover the Filing Fee is enclosed.
- ☒ The Power of Attorney in the prior application is to:
- William B. Kezer, Reg. No. 37,369, William M. Smith, Reg. No. 30,223, and Eugenia Garrett-Wackowski, Reg. No. 37,330, of the law firm of Townsend and Townsend and Crew, LLP
- and
- George H. Gates, Reg. No. 33,500, Victor G. Cooper, Reg. No. 39,641, Karen S. Canady, Reg. No. 39,927, William J. Wood, Reg. No. 42,236, Jason S. Feldmar, Reg. No. 39,187, and Bradley K. Lortz, Reg. No. 45,472, of the law firm of Gates & Cooper LLP
- ☒ An Assignment by the inventors to Minimed Inc. was executed and recorded in the parent application.
- ☒ Exhibit A: Copy of Office Action of October 3, 2000 in S/N 09/401,147 regarding Restriction Requirement.
- ☒ Address all future communications to the **Attention of William J. Wood at Gates & Cooper LLP, Howard Hughes Center, 6701 Center Drive West, Suite 1050, Los Angeles, California 90045, Telephone: (310) 641-8797.**
- ☒ A return postcard is enclosed.

**Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.**

**Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.**

**GATES & COOPER LLP**  
 Howard Hughes Center  
 6701 Center Drive West, Suite 1050  
 Los Angeles, CA 90045  
 (310) 641-8797

By: W. J. Wood  
 Name: William J. Wood  
 Reg. No.: 42,236  
 WJW/io